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October 20, 2010

COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

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Board of Supervisors
County of Santa Barbara
105 East Anapamu Street
Santa Barbara, CA 93101



Re: November 2, 2010, Hearing of the Board of Supervisors
Regarding the Coastal Commission's Program to Impose
Upon the County Material Changes to the County and
Montecito Land Use and Development Code

Dear Board Members:

This office represents Ross Blackburn with respect to his beach residence located on Fernald Point Lane in Montecito. On behalf of Mr. Blackburn, we would like to register his very strong opposition to the California Coastal Commission's staff recommended modifications to the Santa Barbara County and Montecito Land Use and Development Codes ("LUDCs").

Even though my client objects to all the proposed changes by the Coastal Commission's staff, those of particular concern are as follows:

STEPHEN M. BLUMBERG
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* Also admitted in Oregon
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1. Modification #21: This modification eliminates private engineered staircases to the beach and prohibits all development including within 15 feet of the bluff edge, even minor development such as a split-rail fence or a deck.
2. Modification #34: This modification provides standards on an analysis of sea-rise without providing scientific basis for these standards.
3. Modification #3: This modification would require hearings and appealable coastal development permits ("CDP") following discretionary decisions for amendment.
4. Modification #9: This modification introduces "principally permitted uses," which will unnecessarily complicate review for ministerial projects.

5. Modification #11: This modification revises the "exemption" section of the LUDCs. Such modification would eliminate exemptions for irrigation lines, grading under 50 cubic yards, and for doors, windows and skylights. For example, if a proposed project included planting a "significant" amount of new vegetation, or even installing new irrigation lines, the proposed change would require a CDP with a hearing before the Montecito Planning Commission. Further, it creates the potential for an appeal to the Coastal Commission. It is ridiculous, to say the least, that my client would have to obtain a CDP in order to replace his patio door.

In conclusion, my client respectfully request that the Board reject the Coastal Commission's staff recommendations, and take any other actions necessary to ensure that such recommendations are not certified as part of the County and Montecito Land Use and Development Codes.

Very truly yours,

DOWLING, AARON & KEELER



Christopher A. Brown

CAB:vjw

cc: Ross Blackburn
Susan F. Petrovich, Esq.